

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

April 10, 2012

No. 11-20025

Lyle W. Cayce  
United States Courts  
Southern District of Texas  
**FILED**

MAY 4 2012

David J. Bradley, Clerk of Court

D.C. Docket No. 4:09-CV-715

DARIN DUNCAN,

Plaintiff - Appellant

v.

UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON,

Defendant - Appellee

Appeal from the United States District Court for the  
Southern District of Texas, Houston

Before SMITH, GARZA, and SOUTHWICK, Circuit Judges.

J U D G M E N T

This cause was considered on the record on appeal and the briefs on file.

It is ordered and adjudged that the judgment of the District Court is affirmed.

IT IS FURTHER ORDERED that plaintiff-appellant pay to defendant-appellee the costs on appeal to be taxed by the Clerk of this Court.

ISSUED AS MANDATE:

MAY 02 2012

A True Copy  
Attest

Clerk, U.S. Court of Appeals, Fifth Circuit

By:   
Deputy

New Orleans, Louisiana

MAY 02 2012